

2010-001893

Klamath County, Oregon



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02/04/2010 03:20:33 PM

Fee: \$42.00

151 1514387

**AFTER RECORDING RETURN TO:**

ANDERSON & MONSON, PC  
10700 SW Beaverton-Hillsdale Hwy., # 460  
Beaverton, Oregon 97005

**SEND ALL TAX STATEMENTS  
TO:**

American General Financial Services, Inc.  
Attn: Jacob Hahn, Manager  
4800 SE 82<sup>nd</sup>  
Portland, Oregon 97266

**NON-MERGER DEED IN LIEU OF FORECLOSURE**

Vivian E. Dudding ("Grantor") does hereby convey to American General Financial Services, Inc., d.b.a. American General Financial Services (DE), Inc. ("Grantee"), the following real property located in Klamath County, State of Oregon ("Property"):

Lot 102, Block 66 of FIFTH ADDITION TO NIMROD RIVER PARK, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

This deed is absolute in effect and conveys fee simple title to the Property to Grantee and does not operate as a mortgage, trust conveyance or security of any kind.

The true consideration for this instrument is zero (\$0.00) dollars but includes other valuable consideration, including conveyance of the Property in lieu of foreclosure.

This deed does not constitute a merger of the fee ownership and the lien of that trust deed dated May 13, 2008 and recorded on May 14, 2008 as 2008-007140 in the official records of Klamath County, Oregon. The fee title to the Property and the lien of the trust deed shall hereafter remain separate and distinct until Grantee causes the trust deed to be reconveyed. Grantee takes the property subject to all prior liens. Grantee does not assume any prior liens or the obligations secured by the Property. To the extent Grantor is in possession of the Property, Grantor agrees to vacate the Property at such time this deed is recorded. If Grantor remains in possession of the Property after this deed is recorded, Grantor will be a tenant at sufferance and Grantee may proceed to obtain possession of the Property by any lawful means including any action pursuant to ORS 105.110.

Grantor hereby waives, surrenders, conveys and relinquishes any equity of redemption and statutory right of redemption with respect to the Property.

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Grantor acknowledges that the Property is vacant and that no tenants or other persons or entities have any right, title or claim to the Property.

By recording this deed, Grantee agrees that it will forever forbear taking any action whatsoever to collect against the Grantor on the indebtedness secured by the Property, other than by foreclosure of any lien which Grantee may have and that in any proceeding, Grantee will not seek or obtain a deficiency judgment, costs or attorneys fees against Grantor. Other than as set forth in this paragraph, the debt secured by the Property is not satisfied or forgiven.

Grantee shall be entitled to possession of the Property immediately upon recordation of this deed and Grantor shall have no claim or right to possession of the Property after the date this deed is recorded.

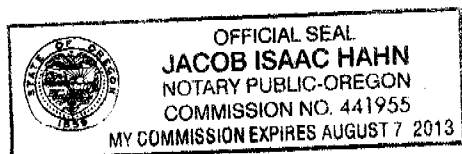
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 and 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 and 195.305 TO 195.336 and SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

DATED: January 7, 2010.

Vivian E. Dudding  
Vivian E. Dudding

STATE OF OREGON )  
County of Clackamas ) ss.

Personally appeared before me this 7<sup>th</sup> day of January, 2010, Vivian E. Dudding and acknowledged the foregoing to be her voluntary act and deed.



Jacob Hahn  
NOTARY PUBLIC FOR Oregon  
My Commission Expires: 8/7/13

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